of the pending claims in view of the following arguments. Of the rejected claims, claims 1, 13, 25, and 37 are independent. Applicants respectfully request the Examiner to carefully reconsider, and to withdraw the rejections, in view of the following remarks.

Benton relates to an automation system for controlling processes or devices through graphical representations. Commonly such a system is for use in industrial control systems (*e.g.* security and fire control structures, *see* Benton col. 1, lines 20-29). Benton describes a system for creating a graphical representation of a physical world process (*see*, Benton col. 9, lines 12-15), linking the graphical representation to physical devices, displaying information from the physical devises, and possibly providing information to the physical devices. Elements used to construct Benton's graphical representation may be provided by a central database. *See*, Physical Device Database 131 and System Database 100, Fig. 2.

Further, Benton has a graphics editor 52 that allows a user to create, modify, or delete graphic display files 134. *See*, Fig. 4. In this respect, Benton is analogous to any program that operates on a <u>computer file</u>, modifies a database, and displays results. For example, the graphical representation is similar to a document produced using a word processor and a system or user defined dictionary.

The present invention described in independent claims 1, 13, 25, and 37 is directed to a system and a method for performing specific tasks upon a <u>computer program</u>. The original independent claims have been amended to include the limitations of <u>loading</u>, <u>installation</u>,

migration, fallback, remigration, and update tasks of a computer program. Benton does not teach or reasonably suggest any of these limitations. Benton's general creation, modification, and deletion do not teach or suggest the more specific loading, installation, migration, fallback, remigration, and update tasks of a computer program as recited in the independent claims.

Massaro is directed to a method and apparatus for an enhanced user interface for use with a multiple function application, and supplies none of the limitations of loading, installation, migration, fallback, remigration, and update tasks of a computer program. Paterson is as deficient as Benton in this regard.

To establish a *prima facie* case of obviousness, all the limitations of the application must be taught in the prior art. Here, none of Benton, Paterson and Massaro teach or reasonably suggest the limitations of loading, installation, migration, fallback, remigration, and update tasks of a computer program. Further, a *prima facie* case of obviousness requires a motivation to combine the prior art references be found in either the references themselves or in the ordinary knowledge of the art. Here, because none of the limitations are present in any of the cited prior art, there can not be any motivation to combine them for this purpose. Applicants contend that the Examiner has failed to present a *prima facie* case of obviousness, and for the reasons presented above, the independent claims are in condition for allowance.

Claims 11, 23, 35, and 47, depend from allowable independent claims and are therefore allowable for at least this reason.
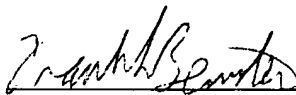
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Claims 7-10, 12, 19-22, 24, 31-34, 36, 43-46 and 48, to which the Examiner has objected as

being dependent from rejected base claims, now depend from allowable independent claims and are

therefore allowable for at least this reason.

The Examiner's rejections having been overcome, Applicant submits that the subject

application is in condition for allowance. The Examiner is respectfully requested to contact the

undersigned at the telephone number listed below to discuss other changes deemed necessary.

Applicant hereby petitions for any extension of time which may be required to maintain the

pendency of this case, and any required fee for such extension is to be charged to Deposit Account

No. 19-4880.

Respectfully submitted,

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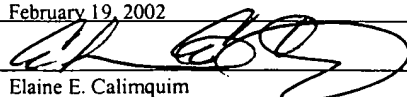PATENT TRADEMARK OFFICE

Date: February 19, 2002

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Signed:

Elaine E. Calimquim